

**CEMETERY BOARD
MEETING MINUTES
MARCH 9, 2010**

PRESENT: E. Glen Porter III, Timothy Stanley, Mary Lehman, and W. Ed Greenfield

EXCUSED: Cecelia Timmons and Kathleen Cantu

STAFF PRESENT: John Lease, Acting Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant

CALL TO ORDER

E. Glen Porter III called the meeting to order at 9:05 a.m. A quorum of 4 members was present.

APPROVAL OF AGENDA

MOTION: Ed Greenfield moved, seconded by Mary Lehman, to approve the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 8, 2009

Corrections:

- Correction to page 4 –sentence ending in “to be” should include “included in the form.”

MOTION: Tim Stanley moved, seconded by Mary Lehman, to approve the Minutes of December 8, 2009, subject to correction on page 4. Motion carried unanimously.

Board Appointments

- Screening Committee – Tim Stanley and Mary Lehman; Glen Porter – Alternate

ADMINISTRATIVE REPORT –JOHN LEASE, ACTING BUREAU DIRECTOR

John Lease, Acting Bureau Director, introduced himself to the Board and announced that Yolanda McGowan has accepted the legal counsel position and will continue to work with the Board in that capacity. He also told the Board that Angela Arrington will be acting as the Bureau Director until further notice. He provided additional updates related to staffing within the Department.

Mr. Lease also conducted the annual policy review noting the change in lodging and an increase for checked bags as the changes to the policies.

LEGISLATION/ADMINISTRATIVE RULES

Mr. Porter asked about the scope statements that the Board had discussed at the last meeting. Ms. McGowan reminded the board that it was decided that the rule changes would be placed on hold until such a time as a new Legal Counsel had been hired. Ms. McGowan will work with

Ms. Arrington to develop a scope statement to cover the rule changes that were discussed and bring that statement back to the Board for review and approval.

Consider the Board's Position related to SB 338 – Burial Aid Bill

Mr. Porter provided an outline of this bill. He explained that the Funeral Homes are asking that the cap for funeral charges be increased from \$3500 to \$4500. The Bill has gone to the Joint Finance Committee. Mr. Porter asked the Board to discuss this item and issue a letter to the legislature that will to make their position known.

After much discussion, the Board determined that they could take a position on this bill due to its potential impact on the public.

MOTION: Tim Stanley moved, seconded by Mary Lehman, to designate Glen Porter to speak on behalf of the Board in response to SB338 (or similar bill in the Assembly) to express the Board's concern regarding impact on the consumer. The Chair will consult with the Department in crafting a letter and potential testimony in this regard. Motion carried unanimously

CREDENTIALING ISSUES

Review of Cemetery Authority Application Forms

Ms. McGowan reminded the Board that at the last meeting it was decided that this was to be a standing agenda item until such time as the form has been completed. Mr. Porter asked the members to bring items that the review committee would like to have included on the report. He also indicated that inclusion of these items on the form is dictated by statutory language.

TRAVEL

None.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Mr. Porter indicated that statutory changes now require all cemeteries within the state to contact the Board and register. Some, but not all, cemeteries have registered. He explained that he has been working with the State Cartographer to locate these cemeteries. Mr. Porter indicated that the location of cemeteries has not advanced much since the last meeting. There are approximately 5000 cemeteries in Wisconsin and the United States Geological Survey has identified 2700 cemeteries in Wisconsin.

MEDIA REPORTS RELATING TO THE REGULATION OF CEMETERIES

The Federal "Bereaved Consumers Protection Act" (HR3655) has been scheduled for hearing and public comment.

The Illinois Legislature has enacted sweeping legislation resulting from the Burr Oaks debacle. It was made effective March 1, 2010.

DISCUSSION OF FUTURE AGENDA ITEMS

None.

CONVENE TO CLOSED SESSION

MOTION: Ed Greenfield moved, seconded by Mary Lehman, to deliberate on cases following hearing (s. 19.85(1) (a), Stats.); consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats.), to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.) Roll Call Vote: E. Glen Porter III- yes, Tim Stanley- yes, Mary Lehman- yes, Ed Greenfield - yes. Motion carried unanimously.

The Board convened into Closed Session at 10:04 a.m.

RECONVENE TO OPEN SESSION

MOTION: Tim Stanley moved, seconded by Mary Lehman, to reconvene into open session at 11:25 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MONITORING REPORT OR ANY RECEIVED AFTER PRINTING OF AGENDA

None.

CASE CLOSINGS, CITATIONS, AND CASE STATUS REPORT OR ANY RECEIVED AFTER PRINTING OF AGENDA

None.

Deliberation on Proposed Stipulations or any signed after printing of agenda

None.

Deliberation on Proposed Administrative Warnings or any received after printing of agenda

None.

Proposed Decision or any signed after printing of agenda

None.

Deliberation on Disciplinary Actions signed after printing of agenda

None.

Petitions for Rehearing received after the printing of agenda

None.

Request for Class 1 Hearings or any requested after printing of agenda

None.

Application Review or any submitted after printing of agenda

None.

Reinstatement Requests or any submitted after printing of agenda

None.

Examination Issues

None.

Consulting with Legal Counsel

- Request from R.C. to sell parcel of undeveloped land holdings

MOTION: Ed Greenfield moved, seconded by Mary Lehman, to request that legal counsel confer with Board chair to draft an intent to object letter subject to receipt of information or documentation verifying financial solvency and/or that the rights and interests of owners will be adequately protected in response to the request by Rienzi Cemetery. Motion carried unanimously.

**DOE – SIGNATURES FOR PROPOSED STIPULATIONS, ORDERS, AND
ADMINISTRATIVE WARNINGS**

None.

ADJOURNMENT

MOTION: Tim Stanley moved, seconded by Mary Lehman, to adjourn the meeting at 11:27 a.m. Motion carried unanimously.